

MINUTES

LEGISLATIVE MEETING – OCTOBER 18, 2023

The October 18, 2023 Legislative Meeting of the Lower Swatara Township Board of Commissioners was called to order at 7:00 P.M. by President Jon G. Wilt.

Roll call was taken, with the following officials in attendance:

- Jon G. Wilt, President
- Todd F. Truntz, Vice President
- Ronald J. Paul, Assistant Secretary
- Michael J. Davies, Commissioner
- Christopher DeHart, Commissioner
- Zachary Border, Manager
- Jean R. Arroyo, Secretary
- Brett Flower, Solicitor
- Shawn Fabian, HRG
- Dominic Visconti, Chief of Police

Residents and visitors in attendance: (see attached sign in sheet)

PUBLIC COMMENT: None

APPROVAL OF MINUTES:

A motion was made by Vice President Truntz, seconded by Commissioner DeHart, to approve the Minutes of the October 4, 2023 Workshop Meeting. The motion was unanimously approved.

PAYMENT OF BILLS:

A motion was made by Commissioner Davies, seconded by Commissioner DeHart, to approve the Payment of Bills – Warrant No. 2023-09. The motion was unanimously approved.

TREASURER’S REPORT:

A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve the Treasurer’s Report for September 2023. The motion was unanimously approved.

PUBLIC SAFETY REPORTS:

Police Department

Activity Report

Chief Visconti provided a summary of the monthly statistics for September. There were 21 Part I crimes, 28 Part II crimes, 418 calls for service, 1 DUI arrest, 46 traffic citations, 5 non-traffic citations, and 18 warnings. There were 19 total vehicle accidents, 4,585 patrol miles driven, 149 foot patrol minutes, and 48 foot patrol minutes on School District property. There were 513.75 total overtime hours, and 32 total training hours. Co-responder stats included 3 new contacts, 2 repeat contact, 0 follow-up contact, and 2 mental health commits. Chief Visconti added that Officer Mack is back from his military deployment and was back to work on Sunday. Officer Rogers will be successfully completing her field training officer period at the end of the month. In response to a question from Commissioner DeHart, Chief Visconti reported the department's truck is back in service.

Waivers

Chief Visconti explained that the deadline for accepting applications for the current selection process resulted in four applications. One of those applicants is currently Act 120 certified and is a Capitol Police Officer. Her physical and psychological examinations were successfully completed as a requirement for enrollment in that academy class, and her last physical agility test was successfully completed as a graduation requirement. Chief Visconti explained that in the interest of expediting the potential hiring process for this applicant should she be selected, he is seeking waivers of the physical examination, psychological examination, and physical agility test. Commissioner Paul asked if this is standard procedure right now. Chief Visconti agreed that it is. President Wilt asked if these waivers apply to only this particular officer. Chief Visconti explained that it will only apply to this particular selection process and only to Act 120 certified officers. However, there is only one individual certified. A motion was made by Vice President Truntz, seconded by Commissioner Davies, to approve the following waivers for Act 120 certified applicants who applied for police officer positions: physical examination, psychological examination, physical Agility Test. The motion was unanimously approved.

Fire Department

Chief Phillips presented the Fire Department's monthly statistics for the month. During the month of September there were 53 total calls. Mutual aid was provided to Derry Twp. (1);

Highspire Borough (2), Hummelstown Borough (1), Lower Paxton Twp. (1); Middletown Borough (4), South Hanover Twp. (1); Steelton Borough (7), and Swatara Twp. (10).

Commissioner DeHart asked Chief Taylor if he is aware of the installation of the water line on North Union. Chief Taylor confirmed that he has a copy of this plan and has requested several changes during his review. Vice President Truntz remarked that last week's Open House at the Fire Department was a very nice event, as always. He thanked everyone for the efforts they put into this event.

ENGINEER'S REPORT:

Mr. Fabian reported that the Bryn Gweled Infrastructure project continues to progress. There will be a closure of Lumber Street due to the replacement of the manhole in that intersection. The plan is to have the base pavement down before Thanksgiving. It is likely that final wearing course may not happen until next spring, so modifications will be necessary to prevent the plows from catching the edges of any manholes or inlets.

The contractor for the Hanover St./Meade Ave. Stormsewer Outfall Repairs anticipates mobilizing to the site by mid-November. The final deadline for completion is in jeopardy. There are damages clauses. Mr. Fabian stated that at this point, he is not recommending that there be any type of extension to the schedule but will keep pressing them to have this project completed in 2023.

The Board had discussed the final build and budget for the Richard L. Shireman Park Design and Permitting at the October workshop. Plans are being finalized for the RACP business plan and final design documents. The Dauphin County Conservation District had issued a deficiency letter which was responded to. Tonight's agenda includes authorization to advertise for bids; the project manual and bid specifications will be prepared over the next month. Commissioner DeHart referenced the deficiency letter and asked what was missed. Mr. Fabian explained that they wanted additional information regarding the off-site discharge analysis.

The bid package is being finalized for the 2023 Drainage Improvements Project (Nissley & Spring Garden, Woodridge Basin Tie-in Off of Spring Garden); the Municipal Authority will be asked to authorize advertisement for bids. Mr. Fabian added that Veolia is almost finished with its replacement work as part of the Bryn Gweled project to remove multiple conflicts with the Township's infrastructure replacement and their waterline in that segment. As mentioned at the last

meeting, they did run into some issues on Donald Avenue and have submitted a plan for a road cut permit for replacement. UGI will also need to address their conflicts; a timeline was requested from them but not yet provided.

Commissioner Davies referenced the water company's work on Lumber Street, and asked if they will be putting a wearing course down prior to winter. Mr. Fabian confirmed that this was requested due to the rough shape of the area.

Vice President Truntz asked that the Township keep on top of the contractor for the Bryn Gweled project to make sure they are providing notifications to residents and are cleaning up after themselves.

MANAGER'S REPORT:

Mr. Border reported that curbside leaf collection begins on Monday, October 23 and ends at the beginning of December, or the first snowfall. The schedule is posted on the website.

Several months back, there was discussion about a tax credit for volunteer firefighters. Discussions are being held with the Fire Department in order to develop a plan for review by the Board of Commissioners.

Mr. Border reported that he has heard that there will be a release of funds for the hazard mitigation program. This will hopefully move forward the potential buyout of flood prone homes in the Jednota Flats area.

Future Meetings/Events:

October 23	7 PM	Municipal Authority Meeting
October 25		CANCELLED -- Zoning Hearing Board Meeting
October 26	7 PM	Planning Commission Meeting
October 26	6 PM – 8 PM	“Trick or Treat”
November 1	6 PM	Recreation Board Meeting
November 1	7 PM	Board of Commissioners' Workshop Meeting

COMMITTEE REPORTS:

Public Safety Committee: Commissioner Paul – reminded the public that “trick-or-treat” in the Township is Thursday, October 26; drivers should be aware of children out that evening.

Budget and Finance Committee: Commissioner Davies reported that work on the budget is progressing. Preliminary review shows it to be within about \$400,000 of last year's budget. The hydrant fund is still in the black but is close to being overtaken by expenses. There will be a

need in the future to look at methods to increase this fund, probably by a hydrant tax increase. The stormwater fee revenue as it exists right now will probably need to be examined in the coming year for a potential increase to fund MS4 obligations. There is a possibility that the Township can address some of its delinquency issues with per capita and occupancy taxes by changing collection agencies. This will also be looked at in the future. There will be another committee meeting to nail down budget details on October 25, and then a special public meeting on November 1 to present the budget.

Public Works Committee: Vice President Truntz reported that the crew is getting the trucks prepared for leaf collection, cleaning culverts, mowing, and cleaning the Police Department. Paving/patching was completed on Stoner Drive. Vice President Truntz asked that staff possibly get HRG involved in looking at the Fire Department's driveway, which has some deterioration in the concrete. He stated that the opinion of a construction engineer or concrete expert is probably needed in order to determine the best course of action.

Community Development: Commissioner DeHart reported that the MARA meeting has been rescheduled to November 30. They are looking at extending childcare in the area, as there seems to be less and less daycare available.

Personnel Committee: President Wilt – no report

UNFINISHED BUSINESS:

Resolution No. 2023-R-9 & Ordinance No. 608 re: parks and recreation

Mr. Border stated that the Board has been looking at updating the Township's parks and recreation rules and fees. Fees seemed to be the major question; the Board was provided a sample fee schedule. The Board agreed to move forward with this. Vice President Truntz added that these fees can be updated at any time when necessary; the fees will not apply to Township organizations such as the Lower Swatara Township Athletic Association. A motion was made by Commissioner DeHart, seconded by Vice President Truntz, to approve Resolution No. 2023-R-9 adopting rules and regulations governing conduct in Township parks and setting rental fees. The motion was unanimously approved.

Mr. Border explained that also before the Board is a draft ordinance pertinent to parks and recreation. Currently, the rules and fees for parks and recreation is in the actual ordinance. This ordinance would set the rules and fees by resolution, making it easier to revise them when

necessary. A motion was made by Commissioner DeHart, seconded by Vice President Truntz, to authorize advertisement of Ordinance No. 608 amending Chapter 16 (Parks and Recreation), Part 1 (Conduct in Parks and Playgrounds), Section 16-102 (Rules and Regulations) to repeal the codified rules and regulations and provide for the promulgation of rules and regulations by the Board of Commissioners. The motion was unanimously approved.

NEW BUSINESS:

Ordinance No. 610: Parameters Ordinance to finance stormwater improvement projects

Zack Williard from PFM and Erica Wible from McNees Wallace, bond counsel, discussed a proposed parameters ordinance to finance stormwater improvement projects.

Mr. Willard stated that they were before the Board about a year ago under the same scenario when the Municipal Authority put in an application to the Dauphin County Infrastructure Bank for some sizeable stormwater projects. This is a relatively new program for the County which uses gaming revenues to subsidize the interest rate. The County went out to banks for bids on what they would offer as an interest rate; they obtained a fixed rate of 20 years at 4.86%.

The County then subsidizes that 4.86% interest rate with gaming funds, which brings the net rate for the Municipal Authority down to 3.11%. Next week is the Municipal Authority meeting, so this will also be presented to them for approval.

Ms. Wible referenced the draft ordinance prepared by McNees Wallace. It has been advertised and is ready for formal approval. tonight. The Municipal Authority is intending to issue a guaranteed revenue note in the maximum amount of \$4,850,000. The County will then purchase that note from the Authority, and the Authority will use the proceeds to finance the improvements to the stormwater system and other stormwater projects and stream restoration projects. The ordinance in front of the Board tonight then authorizes the Township to guarantee those payments to the County. The initial source of security is the receipts and revenues from the Authority's stormwater system. The secondary security would be this guarantee from the Township. This would be a security pledge of the full faith credit and taxing power of the Township. Mr. Williard added the actual project is about 3.96 million. Commissioner DeHart asked if this includes the Penn State sewer line. Mr. Border responded that it does not; this is just stormwater projects. Mr. Fabian added that he has the projects detailed in the engineer's report under 2024 Capital Improvement Projects.

A motion was made by Commissioner Davies, seconded by Commissioner Paul, to approve Ordinance No. 610 authorizing lease rental debt evidenced by a guaranty of a Guaranteed Revenue Note, Series of 2023 to be issued by the Municipal Authority of the Township of Lower Swatara to finance certain stormwater improvement projects of the Authority benefitting the Township. This is a parameters ordinance which approves the financing within certain maximum parameters (including a subsidized interest rate of 3.110% and a maximum principal amount not to exceed \$4,850,000). A roll call vote was taken with the following ballot tabulation: Commissioner DeHart – aye, Commissioner Paul – aye, Commissioner Davies – aye, Vice President Truntz – aye, President Wilt – aye. Ordinance No. 610 was approved by a 5 – 0 margin.

Request for dugouts by Athletic Association

John Ponnett, President of the Lower Swatara Township Athletic Association, provided a PowerPoint presentation of a request by the Association for two dugouts at the Floyd Cross Field. This is the only field that does not have sun coverage. These dugouts will be comprised of a concrete slab, pressure treated posts, and a roof. Doug Shope will be doing the work this season; no financial commitment or money is being requested from the Township. Commissioner Paul recalled that this was looked at last year, and there were some concerns about the fit. Mr. Ponnett agreed, but at that time the intent was to rotate the field in hopes of sharing the concession stand with a shorter walk. This created too many issues, so the idea is to fit it without excavation or cutting into the hill. Vice President asked for assurances that no kids will be involved in the construction. Mr. Ponnett confirmed that no children will be involved. Mr. Shope is an accredited contractor and will do the concrete work. There are members of the Athletic Association that are also contractors and will help with installation. Commissioner Davies asked if there could be any issues with expenditure thresholds or prevailing wages. Solicitor Flower responded that this would not be a prevailing wage project and because this is a non-profit organization not subject to procurement thresholds. Mr. Ponnett added that they will also work with the Township's Code Enforcement Office on this if approved.

A motion was made by Vice President Truntz, seconded by Commissioner Paul, to approve a request by the Lower Swatara Township Athletic Association to install two dugouts at the Floyd Cross Field. The motion was unanimously approved.

Advertisement of Bids for Richard L. Shireman Park

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve the advertisement of bids for the Richard L. Shireman Park. The motion was unanimously approved.

Special Budget Meeting Scheduled

A motion was made by Vice President Truntz, by Commissioner DeHart, to approve the scheduling and advertisement of a Special Meeting on November 1 at 6:30 P.M. to present the 2024 spending plan (budget). The motion was unanimously approved.

Resolution No. 2023-R-17 adding p-card user

A motion was made by Commissioner Davies, seconded by Commissioner Paul, to approve Resolution No. 2023-R-17 adding the position of Administrative Assistant of the Municipal Authority to receive a p-card with a limit of \$500. The motion was unanimously approved.

Increase of limit on p-cards

A motion was made by Commissioner DeHart, seconded by Vice President Truntz, to approve increasing the limit on the p-cards from \$8,000 to \$20,000. The motion was unanimously approved.

Monthly transfers

A motion was made by Commissioner DeHart, seconded by Commissioner Paul, to approve the \$83,333.33 monthly transfer from the General Fund to the Capital Reserve Fund. The motion was unanimously approved.

A motion was made by Commissioner Paul, seconded by Commissioner Davies, to approve the \$41,666.67 monthly transfer from the General Fund to the Recreation Development Fund. The motion was unanimously approved.

FINAL COMMENTS:

Commissioner DeHart agreed that the Fire Department's Open House last week was a very nice event.

Commissioner Davies stated he is looking forward to getting the preliminary budget approved. He thanked Commissioner Paul for his assistance in this process.

Commissioner Paul asked if the Board needs to meet in executive session tonight. Vice President Truntz agreed that it does and requested an executive session to discuss an intermunicipal agreement and personnel matters.

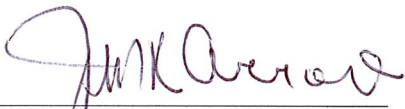
Vice President Truntz referenced previous discussions about advertisement of commission/committee vacancies and accepting letters of interest. Mr. Border asked if the Board desires to advertise all terms that expire at the end of this year, even if the incumbent is interested in being reappointed. Vice President Truntz stated his opinion is that in the interest of transparency and to address concerns expressed from residents, any term that is expiring with a potential open spot be advertised for letters of interest. Commissioner DeHart stated that if this is the case, these individuals should all be interviewed. It is important to have background and experience, and it is already difficult to get people to fill these positions. President Wilt added that the Board needs to appoint two alternates to the Civil Service Commission, since one of the current members will not be seeking reappointment. After a brief discussion, the consensus of the Board was to only advertise "open" positions where terms are expiring at the end of this year and the incumbents are not interested in being reappointed.

President Wilt thanked those who came out tonight.

ADJOURN AND CONVENE INTO EXECUTIVE SESSION:

Hearing no other comments, a motion was made by Vice President Truntz, seconded by Commissioner Davies, to adjourn the meeting and convene into executive session. The meeting adjourned at 7:50 P.M.

ATTEST:

A handwritten signature in dark ink, appearing to read "Jean R. Arroyo", written over a horizontal line.

Jean R. Arroyo
Township Secretary

PLEASE PRINT NAME CLEARLY
BOARD OF COMMISSIONERS
OCTOBER 18, 2023 LEGISLATIVE MTG.

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